



June 24, 2016

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: CC Docket No. 96-128 – Petition of extension of Waiver**

Dear Ms. Dortch:

Pursuant to Section 1.3 of Federal Communications Commission's Rules, Puerto Rico Telephone Company, Inc. d/b/a Claro ("CLARO") is requesting a waiver of the Commission's audit requirement contained in Section 64.1320, the original of which is enclosed.

CLARO needs a brief extension of time until October 1, 2016 to complete its payphone call tracking system audits and file the corresponding audit report.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carlos D. Ruiz Mantilla", written over a horizontal line.

**Carlos D. Ruiz Mantilla, Esq.**  
Regulatory Compliance Manager

Enclosure

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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In the Matter of Implementation  
of the Pay Telephone Reclassification  
and Compensation Provisions of the  
Telecommunications Act of 1996

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CC Docket No. 96-128

**PETITION FOR WAIVER**

**TO THE HONORABLE COMMISSION:**

COMES NOW, Puerto Rico Telephone Company, Inc. d/b/a Claro ("Claro"), through the undersign attorney, to requests a temporary waiver of the Commission's audit requirement contained in Section 64.1320<sup>1</sup>, pursuant to Section 1.3 of the Federal Communications Commission's rules. Claro needs a brief extension of time until October 1, 2016 to complete its audits and file the corresponding audit reports. As explained below, there is good cause for granting this Petition, and the Petition is in the public interest.

Claro is a completing carrier within the meaning of Section 64.1300<sup>2</sup> of the Commission's rules and is therefore required on an annual basis to complete by June 30 an audit of its payphone call tracking systems, pursuant to Section 64.1320<sup>3</sup>.

Claro has selected an independent third party auditor, and the audit process is underway. Nonetheless, Claro anticipates that it may take an additional three months or until October 1,

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<sup>1</sup> See, 47 C.F.R §64.1320.

<sup>2</sup> *Supra*, §64.1300.

<sup>3</sup> *Supra*, §64.1320.

2016 to complete the documentation and testing, analyze the results, and prepare a final report for the Commission.

Section 1.3 allows the Commission to waive its rules where “good cause” exists. The Commission has concluded that good cause exists where “special circumstances warrant a deviation from the general rule, such deviation serves the public interest, and waiver would be consistent with the principles underlying the rule.”<sup>4</sup> Such good cause exists here.

Claro has diligently worked to comply with the Commission’s compensation requirements and has implemented a payphone call tracking system, pursuant to Section 64.1310(a)(1)<sup>5</sup>. However, given the timing of Claro to conclude a detailed evaluation of its aforementioned systems, Claro does not have sufficient time to complete the audit by June 30, 2016. Claro is sincerely committed to complete this audit as expeditiously as possible.

No party will be harmed by the delay in completion of the audit because Claro payphone call tracking systems is already in place and working properly.

Thus, the public interest is best served by allowing Claro and its auditors adequate time to complete their tasks and present the most comprehensive and reliable information possible to the Commission.

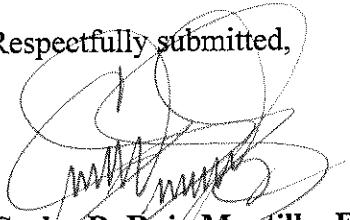
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<sup>4</sup> *Northeast Cellular Tel. Co., L.P. v. FCC*, 897 F2d 1164, 1166 (D.C. Cir. 1990) (citing *WAIT Radio v. FCC*, 418 F2d 1153, 1159 (D.C. Cir. 1969)).

<sup>5</sup> *See*, 47 C.F.R. §64.1310(a)(1).

WHEREFORE, Claro respectfully requests that the Commission grant this Petition for Waiver by extending the deadline for Claro to complete its payphone call tracking system audit, until October 1, 2016.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Carlos D. Ruiz-Mantilla', is written over the typed name.

**Carlos D. Ruiz-Mantilla, Esq.**  
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Its Attorney

June 24, 2016